Baker McKenzie.

Annual Compliance Conference 2026

Global antitrust enforcement priorities

Wednesday 17 June

Speakers

Mara Ghiorghies
Partner (Chair)
Brussels
mara.ghiorghies@bakermckenzie.com

Luis Gomez
Partner
London
luis.gomez@bakermckenzie.com

Erin Kim
Partner
Singapore
heeeun.kim@bakermckenzie.com

Carolina Pardo
Partner
Bogota
carolina.pardo@bakermckenzie.com

Xandra Ståhlberg
Partner
Stockholm
xandra.stahlberg@bakermckenzie.com

Byron Tuyay
Partner
Los Angeles
byron.tuyay@bakermckenzie.com

Our panel discussed how competition authorities across the world are increasingly focused on AI and algorithmic tools as a core enforcement area, given their growing role in informing companies' pricing and commercial decision-making.

The session began by summarising the competition law risks associated with using AI and algorithmic tools. The panel went on to discuss how authorities are generally adopting an "understand and enforce" approach to AI, starting with market studies to understand the emerging competition law considerations before moving onto enforcement.

The panel then provided a helpful summary of the different categories of algorithmic collusion, supported by key cases across jurisdictions. First, traditional explicit collusion enhanced by algorithms remains the clearest and most actively enforced category. Second, "hub-and-spoke collusion" scenarios involving shared third-party pricing tools can constitute an infringement where competitors have knowledge of the restriction. There are a number of pending investigations in this respect too. Third, tacit collusion via autonomous algorithmic interaction remains more difficult for authorities to prove and enforce, despite increasing interest and active scrutiny and litigation in this category.

Across jurisdictions, guidance is converging on common principles; for example, companies cannot immunise themselves by blaming technology for pricing decisions which are outsourced to AI tools that generate collusion. Authorities are also emphasising the need for robust internal compliance, including careful scrutiny and testing of the algorithmic tools companies use.

Finally, the session emphasised that, whilst AI presents new competition law risks, it also presents new opportunities to enhance compliance. Embedding AI into compliance programs, - for example, by using AI to monitor risks, detect suspicious patterns and support investigations or document reviews – can improve compliance outcomes, provided appropriate governance and oversight is in place.

To catch up on the webinars from our Annual Compliance Conference 2026, click here.

bakermckenzie.com